



State of New Jersey

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April 16, 2010

Honorable Joel A. Pisano, U.S.D.J.
Clarkson S. Fisher Federal Building & United States Courthouse
Room 341
402 East State Street
Trenton, N.J. 08608

Re: Association of New Jersey Rifle and Pistol
Clubs, Inc. v. Christie
Docket No. 3:10-cv-00271-JAP-TJB

LETTER ADVISING COURT OF FACTS RAISING A QUESTION OF MOOTNESS

Dear Judge Pisano:

I am a Senior Deputy Attorney General employed by the New Jersey Division of Law, Department of Law and Public Safety, and I am assigned to represent the State defendants - the Honorable Christopher J. Christie, Governor of the State of New Jersey; the Honorable Paula T. Dow, Attorney General of the State of New Jersey; and Colonel Rick Fuentes, Superintendent, Division of New Jersey State Police - in the above-captioned matter. Because "[i]t is the duty of counsel to bring to the federal tribunal's attention, without delay, facts that may raise a question of mootness," Arizonans for Official English v. Ariz., 520 U.S. 43, 68 (1997), I bring the following facts to the Court's attention and, as instructed by Chambers on April 14, 2010, do so by this letter filed with the Court.

On April 6, 2010, the New Jersey Division of State Police promulgated the forms by which applicants may apply for the exemptions from the One Handgun Per Month Law that the Legislature effected in 2009 N.J. Laws c. 168 (approved January 3, 2010), and in 2009 N.J. Laws c. 186 (approved January 12, 2010) (neither of



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these Session laws has yet been officially codified). See Application for Multiple Handgun Purchase Exemption (SP-015), Application for Multiple Handgun Purchase Exemption Continuation Page (SP-015A), Application for Multiple Handgun Purchase Exemption Seller/Transferor Certification (SP-016), and Application for Multiple Handgun Purchase Exemption Seller/Transferor Certification Continuation Page (SP-016A), available at <http://www.njsp.org/info/forms.html#firearms> (last visited April 14, 2010).

Additionally, the Division of State Police sent to every municipality having a chief of police a copy of the letter that is appended hereto as Exhibit 1. Page 5 of that letter advised as follows:

Please note, regardless of an applicant's submission or declination of submission for exemption to the recently enacted legislation, your agency is not authorized to, and cannot limit the number of Permits to Purchase a Handgun to an applicant. Those applicants issued multiple permits without exemption are required to comply with the current law, more specifically the purchase of no more than one handgun in a thirty day period.

This information raises a question of mootness with respect to Counts Three, Four, Five, Six, Seven, and Eight of plaintiffs' amended complaint.

Sincerely yours,

PAULA T. DOW
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Attorney for the State defendants

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